

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BLAKE LIVELY,

Plaintiff,

- against -

WAYFARER STUDIOS LLC, a Delaware Limited Liability Company, JUSTIN BALDONI, an individual, JAMEY HEATH, an individual, STEVE SAROWITZ, an individual, IT ENDS WITH US MOVIE LLC, a California Limited Liability Company, MELISSA NATHAN, an individual, THE AGENCY GROUP PR LLC, a Delaware Limited Liability Company, JENNIFER ABEL, an individual,

Defendant.

WAYFARER STUDIOS LLC, a Delaware Limited Liability Company, JUSTIN BALDONI, an individual, JAMEY HEATH, an individual, IT ENDS WITH US MOVIE LLC, a California Limited Liability Company, MELISSA NATHAN, an individual, JENNIFER ABEL, an individual, and STEVE SAROWITZ, an individual,

Plaintiffs,

- against -

BLAKE LIVELY, an individual, RYAN REYNOLDS, an individual, LESLIE SLOANE, an individual, VISION PR, INC., a New York corporation, and THE NEW YORK TIMES COMPANY, a New York corporation,

Defendants.

Case: 1:24-cv-10049-LJL  
(Consolidated for pretrial purposes  
with 1:25-cv-00449-LJL)  
rel. 1:25-cv-00779-LJL

**DECLARATION OF KATHERINE  
M. BOLGER IN SUPPORT OF  
MOTION BY THE NEW YORK  
TIMES COMPANY  
TO DISMISS PLAINTIFFS'  
FIRST AMENDED  
COMPLAINT**

I, Katherine M. Bolger, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a partner at the law firm of Davis Wright Tremaine LLP, attorneys for Consolidated Defendant The New York Times Company (“*The Times*”) in the above-captioned matter.

2. I submit this declaration to annex documents relevant to *The Times*’s motion to dismiss the First Amended Complaint (“FAC”) of Consolidated Plaintiffs Wayfarer Studios, LLC, Justin Baldoni, Jamey Heath, It Ends With Us Movie, LLC, Melissa Nathan, Jennifer Abel and Steve Sarowitz (the “Wayfarer Parties” or “Plaintiffs”) in this action. By separate letter-motion, *The Times* seeks leave to lodge with the Clerk of Court a flash drive containing the video attached as Exhibit 2.

3. Annexed hereto as **Exhibit 1** is a true and correct copy of an article titled “‘We Can Bury Anyone’: Inside a Hollywood Smear Machine,” which was published on December 21, 2024 by *The Times*. This article is a basis for Counts One, Two, Eight, and Nine of Plaintiffs’ FAC. The article is also available at <https://www.nytimes.com/2024/12/21/business/media/blake-lively-justin-baldoni-it-ends-with-us.html>.

4. Annexed hereto as **Exhibit 2** is a true and correct copy of a video titled “The Waging of an Alleged Smear Campaign Against Blake Lively,” which was published on the website for *The Times* on December 21, 2024. This video is a basis for Counts One and Two of Plaintiffs’ FAC. The video is also available at <https://www.nytimes.com/video/arts/100000009874263/the-waging-of-an-alleged-smear-campaign-against-blake-lively.html> and <https://www.youtube.com/watch?v=EmwTnKPObUk>.

5. Annexed hereto as **Exhibit 3** is a true and correct copy of a complaint filed by Plaintiff and Consolidated Defendant Blake Lively on December 20, 2024 with California Civil Rights Department.

6. Annexed hereto as **Exhibit 4** is a true and correct copy of email correspondence between Megan Twohey, a reporter at *The Times*, and Ms. Abel, that took place on December 20, 2024.

7. Annexed hereto as **Exhibit 5** is a true and correct copy of an email sent by Ms. Twohey to Mr. Baldoni on December 20, 2024.

8. Annexed hereto as **Exhibit 6** is a true and correct copy of an email sent by Ms. Twohey to Mr. Heath on December 20, 2024.

9. Annexed hereto as **Exhibit 7** is a true and correct copy of an email sent by Ms. Twohey to Ms. Nathan on December 20, 2024.

10. Annexed hereto as **Exhibit 8** is a true and correct copy of an email sent by Ms. Twohey to Mr. Sarowitz on December 20, 2024.

11. Annexed hereto as **Exhibit 9** is a true and correct copy of an email sent by Ms. Twohey to an individual named Jed Wallace on December 20, 2024.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
February 28, 2025

By: /s/ Katherine M. Bolger  
KATHERINE M. BOLGER